IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

COMPANY APPLICATION (L) NO.1249 OF 2005
IN
COMPANY PETITION NO.458 OF 2005

In the matter of Sec. 391 and 394 of the Companies Act, 1956

And

In the matter of scheme of Amalgamation of Vibha Chem Products Pvt. Ltd. with Kusa Chemicals Pvt. Ltd.

Kusa Chemicals Pvt. Ltd. ..Applicant.

Mr.B.B.Parekh for the Applicants.

Mr.C.J.Joy with Mr.R.C.Master and Mr.M.M.Goswami i/b. Dr.T.C.Kaushik for Regional Director, Department of Company Affairs Maharashtra, Mumbai.

CORAM : S.J. VAZIFDAR, J.
DATED : 27TH JANUARY, 2006

P.C. :

This is an application for amending the appointed date in the scheme from 1.4.2004 to 1.4.2005.

2. The reason for the change, it is stated is that the Excise duty returns and Income-tax returns are required to be filed and the same cannot be done as the petition of the transferor company pending in the Gujarat High Court is still to be decided.

3. The Regional Director has no objection. The shareholders also have no objection to the same.

4. In the circumstances, the appointed date is altered from 1.4.2004 to 1.4.05.

5. In the event of the authorities including the Income-tax authorities or the Excise authorities or the creditors having any objection for any reason, liberty to them to apply.

All parties are directed to act on an authenticated copy of this order.